

What is an Administrative Order on Consent (AOC)?

- ▶ An AOC is an enforceable agreement.
- ▶ Scope of work to be performed is negotiated. Red Hill AOC was negotiated between DOH/EPA and Navy/DLA.
- Signed voluntarily.

Key Features of an AOC

- Fosters a cooperative relationship
- Avoids the costs and delays associated with protracted disagreements
- At the Red Hill Facility, the AOC requires the Navy/DLA to:
 - » Reduce the risk of future fuel releases
 - Investigate and remediate releases threatening drinking water supplies
 - » Work with DOH and EPA in all decision making
 - Obtain DOH and EPA approval for all work

Prevention

How is the AOC enforceable?

- ▶ Establishes required schedules for the Navy/DLA.
- Monetary penalties for not complying with the AOC.
- ▶ Dispute resolution process places EPA as the ultimate decision maker.
- ▶ Failure to implement agreed upon improvements will place tanks out-of-service

Statement of Work (SOW)

- ▶ The Statement of Work attached to the AOC provides the details of work to be performed and schedules.

 - ➤ Tank Inspection, Repair and Maintenance (Section 2)
 - ▶ Tank Upgrade Alternatives (Section 3)
 - Release Detection/Tank Tightness Testing (Section 4)
 - ➤ Corrosion and Metal Fatigue (Section 5)
 - Investigation and Remediation of Releases (Section 6)
 - ▶ Groundwater Protection and Evaluation (Section 7)
 - Risk/Vulnerability Assessment (Section 8)

Public Involvement

- ▶ The SOW provides for two levels of public involvement
 - ▶ Subject Matter Experts to provide input for scoping meetings or during the review of work products. (Section 1.1)
 - ▶ Summaries of final reports will be made available to the public. (Section 1.2)

General Task Schedules and Regulatory Agency Oversight

- ➢ All tasks generally follow a similar process:
 - Initial Scoping Meeting and Scope of Work Parties develop task goals, report content and decision making criteria
 - » Initial Report Navy/DLA investigate and propose options
 - » Decision Meeting Parties discuss preferred option
 - Decision Document and Implementation Navy/DLA develops decision document
 - » Agencies' approval required on final documents
- ▶ The timelines vary by task

Tank Inspection, Repair, and Maintenance - "TIRM Procedures" (Section 2)

- ▶ Evaluates current tank inspection, repair, and maintenance procedures.
- Investigates and proposes options for improving current practices
- > TIRM procedures revised based on tank upgrade decisions

Tank Upgrade Alternatives (Section 3)

- Evaluates various tank upgrades alternatives (1 year study)
- Selects and implements the Best Available Practicable Technology (BAPT)
- BAPT to be based on consideration of:
 - ▶ Risks and Benefits
 - ▶ Feasibility
 - » Operational Life
 - ➢ Cost

Tank Upgrade Alternatives (continued)

- ▶ Initial BAPT determination made within two years of the effective date of the AOC.
- Pilot technologies may be proposed to fully evaluate a particular technology

Tank Upgrade Alternatives (continued)

- BAPT will be implemented in five year phases
 - » Facility remains operational while upgrades are implemented
 - > Three to five tanks upgraded in each phase
 - » All in-service tanks upgraded within 20 years
- ▶ Every five years, BAPT is re-evaluated
- Due to funding complexities, Regulatory Agencies may allow up to five additional years to complete all upgrades

Release Detection and Tank Tightness Testing (Section 4)

- » Red Hill utilizes three methods to detect releases:
 - » Continuous measurement of fuel levels in the tanks
 - » Tank tightness test every two years
 - Monthly soil vapor sampling
- Navy to increase frequency of tank tightness tests to annually, pending study results
- New release detection practices evaluated and decisions made on implementation

Corrosion and Metal Fatigue Practices (Section 5)

- Report detailing current corrosion and metal fatigue assessment procedures
- ▶ Destructive testing on at least one of the tanks to assess condition of outside of tank wall
- » Based on results, current procedures may be modified

Groundwater Data in Vicinity of Red Hill Insert slide that summarizes existing monitoring and drinking water data ****(Possible Slide where EPA hands off to DOH)*****

Investigation and Remediation of Releases (Section 6)

- ▶ Determines the feasibility of alternatives for investigating and remediating releases from the Facility.
 - ▶ Including response to January 2014 release
- ▶ This task is closely linked to and relies on tasks in Section 7.
- Implement further investigations and remediation based on initial report

Bed rock

Groundwater Protection and Evaluation (Section 7)

- ▶ This task is divided into three sub-tasks

 - ▶ Contaminant Fate and Transport Modeling
 - ▶ Evaluation of the Groundwater Monitoring Well Network

Groundwater Protection and Evaluation (continued)

- ▶ Outcomes and Decisions from this work:
 - ▶ Determine the direction and rate of groundwater flow within aquifers around the facility.
 - ▶ Estimate what happens to contaminants that may be released from the facility (fate and transport).
 - ▶ Finalize a groundwater monitoring network

Risk/Vulnerability Assessment (Section 8)

- Navy/DLA will assess the level of risk the Facility may pose to groundwater resources from vulnerabilities associated with:
 - » Catastrophic events (e.g., seismic events)
 - Mechanical and human errors
 - » Risk mitigation and protective measures
- Includes engineering and environmental factors
- ▶ The assessment will inform selection of BAPT (tank upgrades)

The Agreement in Summary

- Enforceable
- Cooperative Working Relationship
- ▶ Protective of Drinking Water Aquifers
- ▶ Focused on Long-Term Prevention of Fuel Leaks
- ▶ Keeps Facility Operational
- Upgrades Facility

Next Steps

- Submitting Public Comments
 - Oral comments will be accepted tonight following the Question and Answer portion
 - Written comments via email to RedHill@epa.gov
 - ➢ Via U.S. Postal Service to:

Hawaii Department of Health 919 Ala Moana Blvd., Ste. 212 Honolulu, HI 96814 ATTN: Red Hill

Deadline for public comments is July 1, 2015 (emailed or post marked)

Next Steps (continued)

- ▶ All comments will be reviewed and evaluated by EPA/DOH
- ▶ EPA/DOH decide whether to:
 - > (1) Sign the AOC as is; OR
 - (2) Negotiate changes with Navy/DLA based on new information or public comment; OR
 - » (3) Not sign the AOC and potentially take other action
- » AOC is finalized only after EPA and DOH signature

